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Attorney for Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE: : CHAPTER 13

Brian T. Fultz : CASE NO. 18-26234

Debtor : HONORABLE ROSEMARY GAMBARDELLA

ATTORNEY'S RESPONSE TO TRUSTEE'S MOTION TO DISMISS

I, Russell L. Low, hereby certify the following:

1. I represent the debtor, Brian T. Fultz in this bankruptcy proceeding.
2. The debtor owns the property at 610 McBride Avenue Woodland Park, NJ 07424, which has a mortgage held by PHH Mortgage.
3. PHH Mortgage approved the debtor for a Trial Loan Modification with payments due September 1, 2019 - November 1, 2019. The debtor successfully completed all trial modification payments.
4. PHH Mortgage issued a denial on November 22, 2019 for debtor's failure to submit an executed Marital Status Affidavit. However, the Marital Status Affidavit had not been sent through the DMM Portal prior to denial. The portal is the link of communication between the debtor's counsel and lender so the affidavit should have been sent through the portal.

5. The debtor is in the process of executing the Marital Status Affidavit to be submitted to PHH Mortgage.
6. Once PHH Mortgage receives the Marital Status Affidavit, there should be no further reason to deny the debtor a loan modification and therefore the debtor should be approved for a Permanent Loan Modification.
7. Furthermore, the debtor also has the full funds cover the mortgage payments that have come due since the trial loan modification period ended.
8. The debtor is willing to provide those certified funds for my office to hold so they can be sent to PHH Mortgage upon approval of a Permanent Loan Modification.
9. Based on the aforementioned, I am respectfully requesting on behalf of the debtor the opportunity to resolve the Motion for Relief accordingly.

Date: July 8, 2020

/s/ Russell L. Low
RUSSELL L. LOW, ESQ.
Attorney for Debtor